

## CHILD LABOUR: THE BENEATH TRUTH OF TOURISM

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### ABSTRACT

Tourism Industry has attained prestigious position owing to its rapid and spectacular growth over the last few decades and today it has been recognized as a significant factor in the economy of many nations especially in the developing countries like India. However ironically the rapid growth and development of tourism in the 21<sup>st</sup> century has produced both problems and opportunities and its impact has been seen as both positive as well as negative. With its current commercial focus, tourism has failed to protect the rights of marginalised sections of society like women, children and indigeneous communities. Tourism development without responsibility, accountability and protective measures has led to exploitation of children in the form of child abuse, trafficking, pornography and increase in child labour. All these fact in turn increase the vulnerability of children that leads them to drugs, crimes, HIV/AIDS and alienation from communities and families. This paper is an attempt to discuss the trends related to child labour in tourism industry with special reference to India also it explains the causes for child labour and the risk which a child has to face whilst working in this industry. Lastly, it discuss the role and initiatives undertaken by the international organisations, travel and tourism organisations, Government of India and by the common man to mitigate this problem.

**KEYWORDS:** Basics of Tourism, Child Labour, Tourism in India

### INTRODUCTION

‘At his best, man is the noblest of all animals; separated from law and justice he is the worst’

Aristotle<sup>1</sup>

Tourism, at the global is not only recognized as an industry but as a mighty economic force that can pave way for rapid growth bringing cheers to the communities and governments.<sup>2</sup> In developing nations including India Tourism is viewed and promoted as a ‘development paradigm’ and a sustainable growth option. According to world Travel and Tourism Council, Tourism is one of the World’s largest industries, which employs millions worldwide and accounts for 9.1% of Global GDP. Undoubtedly Tourism has the potential to provide employment, cultivate tolerance and encourage knowledge of different cultures while aiding in the preservations of heritage and environment. However, tourism development without responsibility, accountability and protective measures has led to sexual exploitation in the form of child abuse, trafficking, pornography and increase in child labour.<sup>3</sup>

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<sup>1</sup><http://www.ptc.nsw.edu.au/SiteMedia/w3svc361/Uploads/Documents/25.CHILD%20LABOUR%20TOURISM%20DEVELOPING%20COUNTRIES.pdf>

<sup>2</sup> S.S. Boora. “Tourism in India: Policy Issues and Implications”, published by department of Tourism and Hotel Management, Kurukshetra University, Kurukshetra, Haryana, (2006).

<sup>3</sup> [http://books.google.co.in/books?id=cJ3-GMqg2\\_oC&printsec=frontcover](http://books.google.co.in/books?id=cJ3-GMqg2_oC&printsec=frontcover)

### Definition of Tourism

The World Tourism Organization(WTO) defines tourists as people who, “travel to and stay in places outside their usual environment for more than 24 hours and not more than one consecutive year for leisure, business and other purposes not related to the exercise of an activity remunerated from within the place visited.”<sup>4</sup>

Professor Hunziker and Krapf of Berne University in 1942 defined the tourism as “the sum of the phenomena and relationships arising from the travels and stay of non-residents, in so far as they do not lead to permanent residence and not connected with any earning activity.

### Definition of Child Labour

The term “child labour” is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

It refers to work that:

- Is mentally, physically, socially or morally dangerous and harmful to children;
- Interferes with their schooling by depriving them of the opportunity to attend school;
- Obliging them to leave school prematurely; or
- Requiring them to attempt to combine school attendance with excessively long and heavy work.<sup>5</sup>

The major concern is to address the worst forms of child labour as defined by convention 138 and 182. According to ILO (2001), the convention specifies the three ‘absolute’ categories of “Worst Forms of Child Labour” and one relative category which are as follows:

- All forms of slavery or practices similar to slavery, such as the sale and the trafficking of children, debt bondage and forced or compulsory labour.
- The use, procurement or offering of a child for prostitution, production of pornography.
- The use, procurement or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties.
- Work which by its nature or by the circumstances under which it is carried out is likely to harm the health, safety and morals of children<sup>6</sup>

Child labour defined for the purpose of global estimates of ILO in the year 2002 is evident from the following table:

<sup>4</sup> <http://planningcommission.nic.in/aboutus/committee/wrkgrp12/wgreptourism.pdf>

<sup>5</sup> [www.ilo.org/ipec](http://www.ilo.org/ipec)

<sup>6</sup> Ibid

Table 1: Child Labour by Global Estimates (ILO, 2002)

Age Groups	Forms of Work			
	Non Hazardous Work <43hrs/Week		Worst Forms of Child Labour	
	Light Work <14hrs/Week	Regular Work >14hrs/Week and <43hrs/Week	Hazardous Work and Industries <43hrs/Week	Unconditional Worst Form
	<b>Does not:</b> <ul style="list-style-type: none"> <li>Harm child's health and development</li> <li>Prejudice child's attendance at school and participation in vocational training nor 'the capacity to benefit from the instruction received.'</li> </ul>		<b>Leads to:</b> adverse effects on child's safety, health(physical or mental) and moral development. <b>Includes:</b> excessive workload, physical conditions of work, and/or work intensity in terms of the duration or hours of work even where the activity or occupation is known to be non hazardous or safe. <b>Examples:</b> mining and construction.	Trafficked children, bonded labour, armed conflict, prostitution, pornography and illicit activities.
5-11				
12-14				
15-17				

The shaded areas considered as child labour in need of elimination as per ILO Conventions No. 138 and 182.

### Objective of the Paper

Objective of the paper is to analyse the trends of child labour in tourism with special reference to India and major reasons responsible for child labour in developing countries like India. Further, it explains the impact and the risks attached to this work on the children. It also explain laws and legislatives undertaken by international organisations, and by the Government of India to mitigate this problem. Lastly it explains some suggestive measures that can be adopted at international, national and at an individual's level.

### Source of Data Collection

This study is based on secondary data collected from various reports and reviews of world tour and travel agency, Tourism and Hospitality Industry, various books and publications, research articles and the World Wide Web.

### Child Labour in the World of Tourism

Tourism is a growing, multi-billion dollar industry that impacts socially, economically, environmentally and politically on countries and their inhabitants. The growth is evident from statistics indicating that then number of international arrivals increased from 25 million in 1950 to 806 million in 2005 (WTO, 2005). The World Tourism Organisation (WTO), in its Tourism 2020 Vision, forecasts that international arrivals will reach 1.56 billion by 2020, with the largest rate of increase in developing countries, especially Asia.<sup>7</sup> This increase will impact on global employment in the tourism industry and by 2010 the industry is expected to involve 251.6 million jobs, or one in every 11 jobs in the formal sector (WTTC, 2000). Tourism ranks as one of the world's fastest growing economic sectors and its largest employer. It provides income to cash strapped, developing countries, many with a large proportion of the population living on less than one dollar a day. In search of increased economic growth these developing countries generally welcome tourists by providing them with cheap accommodation, transport etc. achievable largely at the expense of exploited child labour. Unfortunately, this has also led to an increase in the commercial sexual exploitation of children by the tourists. A report of the international labour organization (ILO) states that child labour at the beginning of this 21<sup>st</sup> century is described as a "constantly growing and unstable" phenomenon.

<sup>7</sup><http://www.ptc.nsw.edu.au/SiteMedia/w3svc361/Uploads/Documents/25.CHILD%20LABOUR%20TOURISM%20DEV%20ELOPING%20COUNTRIES.pdf>

### Major Trends of Child Labour in Tourism

It is true that tourism is one of the fastest growing sectors in India and has received much impetus from the govt. As we know that it is a major contributor to the economy but unfortunately, tourism is also contributing to child labour. According to ILO global report 2010, Child labour continues to decline, but more modestly than previously as a three (3) per cent reduction in the four year period (2004 - 2008) whereas ten (10) per cent decrease was covered in the period 2000 – 2004. The global number of child labourers stands at 215 million, only seven million less than in 2004 whereas 115million are in hazardous work.<sup>8</sup>

India has the distinction of the largest number of working children in the world today. Indian official statistics states that 13 million children, but unofficial estimates vary between 60 and 100 million children. In the tourism sector, millions of children around the country are trapped in a world of work. Many of them are at risk from hazardous and exploitative labour and denied their basic and fundamental right to education, health and childhood. According to ILO estimates, 15 per cent of India's estimated 2.3 million commercial sex workers are children. They are sexually exploited in night clubs, beauty saloons, hotels, escort services, private houses as well as railway stations, bus stations, public parks etc.<sup>9</sup> A series of studies published by important official agencies and organizations working on protection of children have highlighted the links between tourism and the increase in child labour and sexual abuse. As studies by national commission for women, the national human rights commission and ECPAT (End Child Prostitution and Trafficking) all provide conclusive evidence for the growing phenomenon.<sup>10</sup>

### Reasons for Children to Work in the World of Tourism

A simple reason for the employment of children in work related to travel and entertainment as opposed to other types earning activity is opportunity. Those seeking work or parents seeking jobs for their children naturally gravitate towards establishment with a demand for unskilled labourer. Also, the tourism industry has prevent to be a lucrative one for child workers because their great demand for their services as waiters, waitress, cooks, dancers, bar hostesses, receptionists, prostitutes and many others.

Besides poverty, a major cause of child labour, there are other related causes such as

- Lack of jobs for adults which causes high unemployment or under employment
- No compulsory free education
- Lack of schools and teachers
- Food insecurity which does not motivate them to study rather gives reason for seeking work
- Inadequate government legislation causes ineffective implementation of laws
- Unscrupulous employers or companies who increased their profits by using cheap child labour and lowered labour cost by overworking and underpaying children.
- Trade in goods produced by child labour

<sup>8</sup> [www.ilo.org/ipecc](http://www.ilo.org/ipecc)

<sup>9</sup> <http://www.scribd.com/doc/30280163/Child-Labour-An-Ugly-Face-of-Tourism>

<sup>10</sup> [http://books.google.co.in/books?id=cJ3-GMqg2\\_oC&printsec=frontcover](http://books.google.co.in/books?id=cJ3-GMqg2_oC&printsec=frontcover)

Also with respect to the report by ILO, 2001, “economic and political instability, discrimination, migration, criminal exploitation, traditional cultural practices, lack of decent work for adults, inadequate social protection, lack of schools and desire for consumer goods.”

From a poor family’s perspective child labour is not seen as exploitive but as an ‘economic fact of life’. As parents are unable to adequately feed and clothe their children, let alone educate them. There are also many non pecuniary reasons for child labour. For example, research has found that children are: less aware of their rights; less troublesome; more willing to take orders and perform monotonous work; more trustworthy; less likely to steal and less likely to be absent from work. (ILO,SCF).<sup>11</sup> At the moment, there is great demand for underage work force and children ready to work. In fact liberalism and its process of globalization prefer cheap labour, with no long term responsibilities, no registration with the social security system. Children, boys and girls provide these advantages which give reason for the increase of child labour in the world of tourism.

### **Impact of Work on Children**

The effects of work on children in the tourism industry could be classified in terms of their physical, mental, psychological and emotional impact. Among the negative impacts are conditions and situations that are likely to lead physical harm, specific illness, impaired growth, loss of well being. These include the degree of strenuousness of the tasks involved in working hours.<sup>12</sup>

- Health and safety concerns in the work place especially in kitchen, include noise, heat, poor ventilation, slippery floors and stairs, poor lightening and the harmful effects of cleaning materials. Some child workers experience headaches often caused by cigarette smoke and stifling atmosphere. Those involved in lifting heavy items suffer severe muscle pains in legs and back. Some experience cuts and scalding, accidents that most probably result from the constant pressure to work fast and not keep customers waiting. In all cases, workers are under considerable stress.
- Mental impact is more elusive but include psychological stress, lack of opportunity, to develop cognitive and social skills. Because of their work schedules, many children in these occupations are school drop outs. Besides from dropping out of school, these children have missed out on the joys of childhood because of the need to earn their keep.
- Children involved in tourism related work run the risk of being sexually exploit due to constant exposure and involvement with strangers who intend to exploit children. For instance, children employed in roadside eateries and highway dhabas are highly vulnerable to sexual abuse and drug abuse and to contracting HIV or AIDS as they come in contact with locals as well as tourists.
- Long working hours, unstable employment, low wages, cheap labour and extremely poor working and living conditions lead to poor physical and psychological health.
- Because of their physical and economic vulnerability, many children end up in a life of solitude, suffering mental as well as physical trauma.

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<sup>11</sup> Ibid

<sup>12</sup> <http://www.dlsu.edu.ph/research/centers/cberd/pdf/business/vol5/vol5no2.pdf>

### Initiatives Taken to Ensure Protection of Children in Context of Tourism

Exploitative child labour as an international phenomenon has been the object of increasing attention and concern. Greater global awareness has resulted from: increasing global campaigns (World Day against Child Labour, Global March against Child Labour); growth in NGOs such as Human Rights Watch, Save the Children; and growth in the activities of IGOs such as United Nations International Children's Emergency Fund (UNICEF), United Nations Commission on Human Rights (UNCHR) and the International Labour Organisation (ILO). With the support of the World Tourism Organisation (WTO) all aim to work towards eliminating child labour in the tourism industry.

- **International Perspective**

Several international instruments have been passed to serve as general guidelines for national governments all over the world. Among these, international instruments is the international convention on Economic, Social and Cultural Rights, Art. 10.3 of which states that,

“Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limit below which the paid employment child labour should be prohibited and punishable by law.”<sup>13</sup> The convention on the rights of the child on the other hand states that government shall take legislative, administrative, social and educational measures to protect children from economic exploitation and from any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social developments.

Major actions taken at international levels are as follow

- UNWTO guidelines and Global Code of Ethics
- Wise International lending by World Bank and IMF
- Tourist industry Codes of Conduct
- Various Conventions for elimination of child labour made by ILO

Among the major conventions on child labour are as follows:

**ILO Convention No. 59:** Convention fixing the minimum age for admission of children to industrial employment which states that, “children under the age of 15 years shall not be employed or work in any public or private industrial undertaking...provided that, except in the case of employment which by their nature or the circumstances in which they are carried on are dangerous to the life, health or morals of the persons employed therein, national laws or regulations or regulations may permit such children to be employed in undertakings in which only members of employed family are employed.

**ILO Convention No. 138:** Convention concerning minimum age for admission to employment, which states that “the minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years,

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<sup>13</sup> Ibid

**ILO Convention No. 77:** Convention concerning medical examination for fitness for employment in industry of children and young persons which states that children and young persons which states that “children and young persons under 18 years of age shall not be admitted to employment by an industrial undertaking unless they have been found fit for the work in which they are to be employed by a thorough medical examination.

**ILO Convention No. 90:** Covention concerning the night work of young persons employed in industry which states that “young persons under 18years of age shall not be employed or worked during the night in any public or private industrial undertaking.”<sup>14</sup>

Besides this, in the year 2001, the global code of ethics for tourism (GCTA) was also adopted with a comprehensive set of principles which outline to guide tourism development and to serve as a frame of referance for the different stakeholders in the tourism sector, witch the objective of minimising the negative impacts of tourism. in the preample of global code of ethics, they have very clearly agreed and referred to the conventions and recomendations adopted by international labour organization (ILO) in the area of prohibition of forced labour and child labour.

### Indian Perspective

Before considering indian perspective, we first consider the various actions taken at Regional level as well as National Level

#### Regional Level

- NGO/local projects eg. Self Help Group (SHG)
- Awareness raising, lobbying
- Unionization of workers

#### National Level

- Ratification of the International Conventions, laws and their enforcement
- Free education for all
- Information to the tourists
- Special protection for poor families

#### Other

- Networking and cooperation among NGO's
- Local studies to understand the local issues and build consesus
- Community monitoring of its children

The government of India announced a ban effective from 10<sup>th</sup> october, 2006 on the employment of children as domestic servants and workers in roadside eateries, tea shops, restaurants, hotels etc. The reason given was that many of these children according to The Ministry of Labour and Employment of the Government of India are subjected to physical violance, psychological trauma and even sexual abuse. In India there are a host of related social legislation and criminal laws which have some beneficial provisions for the care, protection and rehabilitation of children. The key bodies concern

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<sup>14</sup> Ibid

with child related laws are: The Ministry of Woman and Child Development (MWCD), The Ministry of Labour (MOL) and The National Commission for Children (NCC) and The National Human Rights Commission (NHRC). There continue to be major gaps in the provision relating to child abuse particularly in cases of trafficking, sexual and force labour, child pornography and child sex tourism.

The MWCD in its working group report mentioned that tourism is known to directly contribute to the exploitation of the child in the form of child labour, child trafficking and the sexual exploitation of children. Also, National Human Rights Commission (NHRC) alongwith National Commission for Women (NCW) and the Ministry of Woman and Child Development (MWCD) have also come up with guidelines in preventing and combatting human trafficking with special focus on woman and children. Furthermore, some organizations have also argued that blanket ban is not feasible and that steps must also be simultaneously taken to protect the rights of working children though it is clear that child labour must be fought and ways to ensure that children have access to education, safe and healthy environments and the ability to experience childhood should be the goal of any civilized society.<sup>15</sup>

### **Suggestive Measures**

Representatives of the tourism industry, governments, international organisations and non-governmental organisations face the challenge of finding new ways to prevent, uncover, condemn, isolate and eradicate exploitation of child labour in the tourism industry. There is no easy solution, especially in the short run, and at present working towards the elimination of child labour requires a mixture of approaches to address this complex issue.

### **UNWTO Measures**

Tourism is an ever expanding service industry with latent vast growth potential and has therefore become one of the crucial concern of not only the nations but also of international community as a whole.<sup>16</sup> The UNWTO need to follow the below mentioned measures to make the tourism as an unexploitable industry.

- Actively working with the tourism industry to develop and implement codes of conduct which will protect children from exploitation in the context of tourism.
- To hold detailed consultation with multiple stakeholders that aims at understanding, interventions and solutions to the problem.
- The global code of ethics for tourism must be expanded on this issue to detail the problems of exploitation of children and to clearly condemn tourist complicity and role in child's trafficking, child labour and sexual exploitation of children.
- The UNWTO website has very little material on the issue of exploitation of children in tourism. It was surprising to know that such a serious violation of the right of the most vulnerable have received so little attention of the UNWTO.
- To work with various formation of industries, with small and medium scale enterprises as it is in the informal and the small and medium sectors where a lot of exploitation of children happens.

<sup>15</sup> [http://books.google.co.in/books?id=cJ3-GMgg2\\_oC&printsec=frontcover](http://books.google.co.in/books?id=cJ3-GMgg2_oC&printsec=frontcover)

<sup>16</sup> Krishna K., Kamra Mohinder Chand, "Basics of Tourism: Theory, Operation and Practice" p30, Kanishka publishers, Distributors(2002)



### **The Tourism, Travel and Hospitality Industry**

It is the prime concern of the tourism industry, tour operators, travel agencies and hotels to come up with the code of conduct related to the protection of children from all forms of exploitation in tourism. Some protective measures should be as follows:

- All establishment which provide, lodging, accomodation, temporary housing, rooms or any other similar facility should ensure that children are safe and not at risk of child labour.
- The honor and the manager of the hotel or establishment should be held solely responsible for any contravention.
- They must make sure that no child is allowed to enter any such establishment unless the child is registered as staying in the room with family, relatives or persons related to blood.

### **The Government of India**

The govt plays a vital role in the development of the country and can solve various social issues like child labour especially in tourism sector by taking strict measures and making it sure that all steps should be successfully implimented. The suggestive measures to be taken by the govt of India are as follows:

- Instead of simply banning child labour in tourism sector, it is critical that causes of child labour should be dimnished.
- The ministry of tourism in particular needs to be more accountable and evolve a concrete plan of action to counter child abuse in tourism.
- Sensitization and training of authorities who deal with children is particularly important.
- Govt should organize more and more of awareness campaigns for children's right.
- Govt should provide compulsory free quality, relevant primary education.
- Govt should promore microfinance programmes which combines work with education.
- Govt should increase welfare programs like house, feed and educate abandoned children
- Remove causes of poverty and inequality

### **Others**

Its not only a duty of government, tourism promoters or international bodies to make tourism a non exploitative and equitable rather we as an individual can also play an important role in eliminationg child labour. For instance:

- It becomes each person's responsibility to allow others to enjoy the same rights as one self, and to uphold the rights and freedom of individuals and communities who are disadvantaged or oppressed.
- We should aware to our maids, servants, drivers etc to admit their children in schools and also tell them that midday meal plans are available for them. Education for girls till matric is free.
- We should take the initiative to stop the child labour by putting an immediate stop to the children working with us..
- When we go on tours and any child comes as a guide then we should inform him about their child rights.

- If someone employees children then we should complaint in police.

## CONCLUSIONS

Tourism industry has attained prestigious position owing to its rapid and spectacular growth over the last few decades and today it has been recognised as a significant factor in the economy of many nations especially in the developing countries like India. However alongwith the growth of tourism concerns about the adverse impact of tourism in the form of child exploitation as child labour, child abuse, trafficking has also increased. But at the same time, we cannot put a total ban on tourism as a whole. Child Labour can stopped by enacting special legislations in the field of tourism. Instead we can say that certain legislations are there but need is there to enforce and implement them properly and effectively. Also this is the reality that the exploitation of the child cannot be eradicated overnight and greater enforcement of national laws and international conventions is required to work towards giving children ‘a voice’ that will establish their rights as individuals and equals in society. Only an effective empowerment can give these children a larger share of society’s possibilities and benefits. As UNICEF’s Executive Director, states ‘The quality of a child’s life depends on decisions made every day in households, communities and in the halls of government. We must make those choices wisely, and with children’s best interests in mind. If we fail to secure childhood, we will fail to reach our larger, global goals for human rights and economic development. As children go, so go nations. It’s that simple.’

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